



# PECO NUCLEAR

A Unit of PECO Energy

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March 21, 2000

ADJ

Secretary  
U.S. Nuclear Regulatory Commission  
Attn: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001

DOCKET NUMBER  
PROPOSED RULE **PR 71 + 73**  
(64FR71331)

Subject: Comments Concerning Advance Notice of Proposed Rulemaking on  
"Advance Notification to Native American Tribes of Transportation of Certain  
Types of Nuclear Wastes." (64FR71331, dated December 21, 1999)

Dear Sir/Madam:

This letter is being submitted in response to the Nuclear Regulatory Commission's (NRC) request for comments concerning Advance Notice of Proposed Rulemaking on "Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Wastes," which was published in the Federal Register (i.e., 64FR71331, dated December 21, 1999). The NRC is considering an amendment to its regulations that would require licensees to notify Native American Tribes of shipments of certain types of high-level radioactive waste, including spent nuclear fuel, prior to transport to or across the boundary of Tribal lands. Current NRC regulations require advance notification of these shipments to States. In recognition of Tribal sovereignty and the need for the Tribes to be informed about activities that occur on Tribal lands, the NRC seeks to extend these regulations to include advance notification of these shipments to Federally recognized Native American Tribes.

PECO Energy appreciates the opportunity to comment on the proposed rulemaking. PECO Energy supports the comments submitted on behalf of the nuclear energy industry, by the Nuclear Energy Institute.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

James A. Hutton, Jr.  
Director - Licensing